

06/04/01

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PTO/SB/05 (08/00)

Approved for use through 10/31/2002, OMB 0651-0032

06-05-01

Box 7

UTILITY PATENT APPLICATION TRANSMITTAL

Only for new nonprovisional applications under 37 1.53(b))

PRO

100318

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Attorney Docket No.	18617.NEW
First Inventor	Scott, et al
Title	Recombinant Multivalent Viral Vaccine
Express Mail Label No.	EE209745965US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents

Assistant Commissioner for Patents

ADDRESS TO: Box Patent Application
Washington, D.C. 20231

- Fee Transmittal Form
(Submit an original, and a duplicate for fee processing)
- Applicant claims small entity status.
See CFR 1.27.
- Specification [Total Pages / 43 /]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R&D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
- Drawing(s) (35 USC 113) [Total Sheets / 7 /]
- Oath or Declaration [Total Pages / 5 /]
 - a. Newly executed (original or copy)
 - b. Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 17 completed)
 - i. DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
- Application Data Sheet. See 37 CFR 1.76

- CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
- Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - Computer Readable Form (CRF)
 - Specification Sequence Listing on:
 - CD-ROM or CD-R (2 copies); or
 - paper
 - Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

- Assignment Papers (cover sheet & document(s))
- 37 CFR 3.73(b) Statement Power of Attorney (when there is an assignee)
- English Translation Document (if applicable)
- Information Disclosure Copies of IDS Statement (IDS)/PTO-1449 Citations
- Preliminary Amendment
- Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
- Certified Copy of Priority Document(s)
(if foreign priority is claimed)
- Other: Check in the amount of \$355; Request and Certification Under 35 U.S.C. 122 (b) (2) (B) (i)

17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation Divisional Continuation-in-part (CIP)

of the prior application No: 08/552,369

Prior application information: Examiner: Laurie Scheiner

Group/Art Unit: 1648

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

18. CORRESPONDENCE ADDRESS

NAME	Ranjana Kadle Hodgson Russ LLP				
ADDRESS	One M&T Plaza, Suite 2000				
CITY	Buffalo	STATE	New York	ZIP CODE	14203-2391
COUNTRY	United States of America	TELEPHONE	(716) 856-4000	FAX	(716) 849-0349

"Express Mail" Mailing Label Number EE209745965US

Date of Deposit June 4, 2001

FEE TRANSMITTAL

for FY 2001

Patent Fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 355.00)					Application Number						
					Filing Date		June 4, 2001				
					First Named Inventor			Scott, et al			
					Examiner Name						
					Group/Art Unit						
					Attorney Docket Number	18617.NEW					
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:		3. ADDITIONAL FEES									
Deposit Account Number: <u>08-2442</u> Deposit Account Name: <u>Hodgson Russ LLP</u>		Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description		Fee Paid			
<input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17		105	130	205	65	Surcharge - late filing fee or oath		\$			
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.		127	50	227	25	Surcharge - late provisional filing fee or cover sheet		\$			
2. <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other		139	130	139	130	Non-English specification		\$			
FEE CALCULATION		147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination		\$			
1. BASIC FILING FEE		112	920*	112	920*	Requesting Publication of SIR prior to Examiner Action		\$			
Large Entity Small Entity		113	1,840*	113	1,840*	Requesting Publication of SIR after Examiner Action		\$			
101	710	201	355	Utility filing fee	\$ 355	115	110	215	55	Extension for reply within first month	\$
106	320	206	160	Design filing fee	\$	116	390	216	195	Extension for reply within second month	\$
107	490	207	245	Plant filing fee	\$	117	890	217	445	Extension for reply within third month	\$
108	540	208	355	Reissue filing fee	\$	118	1,390	218	695	Extension for reply within fourth month	\$
114	150	214	75	Provisional filing fee	\$	128	1,890	228	945	Extension for reply within fifth month	\$
		SUBTOTAL (1)	\$ 355	119	310	219	155	Notice of Appeal			\$
2. EXTRA CLAIM FEES		Extra Fee from Claims below	Fee Paid	120	310	220	155	Filing a brief in support of an appeal			\$
Total Claims / / -20** = / / x / / =		\$	121	270	221	135	Request for oral hearing			\$	
Independent Claims / / - 3** = / / x / / =		\$	138	1,510	138	1,510	Petition to institute a public use proceeding			\$	
Multiple dependent / / x / / =		\$	140	110	240	55	Petition to revive - unavoidable			\$	
Large Entity Small Entity		141	1,240	241	620	Petition to revive - unintentional			\$		
Fee Fee Fee Fee		142	1,240	242	620	10 advance copies Utility issue fee (or reissue)			\$		
103	18	203	9	Claims in excess of 20	\$	143	440	243	220	Design issue fee	\$
102	80	202	40	Independent claims in excess of 3	\$	144	600	244	300	Plant issue fee	\$
104	270	204	135	Multiple dependent claim if not paid	\$	122	130	122	130	Petitions to the Commissioner	\$
109	80	209	40	**Reissue independent claims over original patent	\$	123	50	123	50	Processing fee under 37 CFR 1.17(q)	\$
110	18	210	9	**Reissue claims in excess of 20 and over original patent	\$	126	180	126	180	Submission of Information Disclosure Statement	\$
		SUBTOTAL (2)	\$ 0	581	40	581	40	Recording each patent assignment per property (times number of properties)			\$
SIGNATURE: <u>Ranjan Kadle</u>		146	710	246	355	Filing a submission after final rejection(37 CFR 1.129(a))			\$		
Ranjan Kadle Reg. No. 40,041		149	710	249	355	For each add'l invention to be examined(37 CFR 1.129(b))			\$		
DATE: June 4, 2001 Telephone: (716) 848-1628		179	710	279	355	Request For Continued Examination (RCE)			\$		
Express Mail" Mailing Label Number: EE209745965US		169	900	169	900	Request for Expedited Examination of a design appln.			\$		
Date of Deposit June 4, 2001		*Reduced by basic filing fee paid						SUBTOTAL (3)	\$ 0		

REQUEST AND CERTIFICATION		First Named Inventor	Scott, et al
UNDER		Title	Recombinant Multivalent Viral Vaccine
35 U.S.C. 122(b) (2) (B) (i)		Atty Docket Number	18617.NEW

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

June 4, 2001

Date


Signature

Ranjana Kadle
Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b) (2) (B) (iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Scott, et al

Serial No.: Not yet assigned

Filed: Herewith

For: Recombinant Multivalent Viral Vaccine

LETTER

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicant declares that the Paper Copy of the Sequence Listing and the Computer Readable Copy filed with the above-referenced patent application are the same.

Respectfully Submitted,

Ranjana Kadle

Ranjana Kadle
Reg. No. 40,041

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June 4, 2001